Confidential

COMMITTEE ON PETITIONS

(FOURTEENTH LOK SABHA)

FIFTH REPORT

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LOK SABHA SECRETARIAT
NEW DELHI

January, 2005/Magha, 1926 (Saka)

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(FOURTEENTH LOK SABHA)

(Presented to Lok Sabha on 21.3 .2005)

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Shri Prabhunath Singh - Chairman

Members

2. Shri Raj Babbar
3. Shri Nandkumar Singh Chauhan
4. Shri N.S.V. Chitthan
5. Dr. M. Jagannath
6. Shri Jitin Prasad
7. Shri Baliram Kashyap
8. Shri Suresh Kurup
9. Ms. Nivedita Mane
10. Mohd. Muqueem
11. Shri Dharmendra Pradhan
12. Shri Jyotiraditya Madhavrao Scindia
13. Shri Damodar Barku Shingada
14. Shri Mansukhbhai D. Vasava
15. Shri Vijay Krishna

SECRETARIAT

1.	Shri John Joseph	-	Additional Secretary
2.	Shri R.C. Ahuja	-	Joint Secretary
3.	Shri Brahm Dutt	-	Director
4.	Shri R.K. Bajaj	-	Under Secretary
5.	Shri V.P. Gupta	-	Committee Officer

FIFTH REPORT OF THE COMMITTEE ON PETITIONS

(FOURTEENTH LOK SABHA)

INTRODUCTION

I, the Chairman, Committee on Petitions, having been authorised by the Committee to present the Report on their behalf, present this Fifth Report of the Committee to the House on the action taken by the Government on the recommendations made by the Committee on Petitions (Thirteenth Lok Sabha) in their Twentieth Report on the following matters:-

(i) Representation requesting for absorption of 17 contract labourers engaged in Mejia Thermal Power Station (MTPS) of Damodar Valley Corporation;

(ii) Representation requesting for appointment of dependants of deceased employees of Damodar Valley Corporation on compassionate grounds;

(iii) Representation regarding problems of members of Damodar Valley Corporation Shramik Union; and

(iv) Representation requesting for compensation and employment to the affected land losers whose land has been acquired by Damodar Valley Corporation.

2. The Committee considered and adopted the draft Fifth Report at their sitting held on 5 January, 2005.

3. The observations/recommendations of the Committee on the above matters have been included in the Report.

4. For facility of reference observations/recommendations of the Committee have been printed in thick type in the body of the Report.

NEW DELHI;

9th March, 2005.
18 Phalguna, 1926(Saka)

PRABHUNATH SINGH
Chairman,
Committee on Petitions.

CHAPTER - I

INTRODUCTORY

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS MADE BY THE COMMITTEE ON PETITIONS (THIRTEENTH LOK SABHA) IN THEIR TWENTIETH REPORT ON REPRESENTATIONS RELATING TO DAMODAR VALLEY CORPORATION (DVC).

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1.1 The Committee on Petitions (Thirteenth Lok Sabha), in their Twentieth Report presented to Lok Sabha on 22 November, 2002 had dealt with the following representations relating to Damodar Valley Corporation (DVC):-

(i) Representation requesting for absorption of 17 contract labourers engaged in Mejia Thermal Power Station (MTPS) of Damodar Valley Corporation;

(ii) Representation requesting for appointment of dependant of deceased employees of Damodar Valley Corporation on compassionate grounds;

(iii) Representation regarding problems of members of Damodar Valley Corporation Shramik Union; and

(iv) Representation requesting for compensation and employment to the affected land losers whose land has been acquired by Damodar Valley Corporation.

1.2. The Committee made certain observations/recommendations in the matter and the Ministry of Power were requested to implement these recommendations and furnish action taken notes for the consideration of the Committee.

1.3. Action taken notes have been received from the Ministry of Power in respect of all the recommendations contained in the Report.

1.4 The Committee will now deal with the action taken by the Government on their recommendations in the succeeding Chapters.

CHAPTER-II

REPRESENTATION REQUESTING FOR ABSORPTION OF 17 CONTRACT LABOURERS ENGAGED IN MEJIA THERMAL POWER STATION (MTPS) OF DAMODAR VALLEY CORPORATION.

2.1 The Committee in their Twentieth Report (para 1.21) presented to Lok Sabha on 22nd November, 2002, expressed their concern over the fact that although the provisions of Contract Labour Organisation (Regulation and Abolition) Act, 1970 had been applicable to the labourers in operation/maintenance of pumps and motors/valves on water supply lines and cleaning of underground pumps in pump houses vide Government of India Notification No.130 dated 28.2.2001; the petitioners have not been given the benefit of this Government Notification. The Committee, accordingly recommended that 17 contract labourers of Mejia Thermal Power Station should be given the justifiable rights/privileges of employment in DVC.

2.2 In their action taken reply, the Ministry have stated as under:-

> "Government of India Notification No.130 dated 28th February, 2001 was issued by the Ministry of Labour in exercise of powers conferred by Sub-section 1 of Section 10 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970). In terms of the provisions contained in the said notification, the Central Government prohibited from the date of publication of the notification i.e. 28th February, 2001, the employment of contract labourers in the jobs or works specified in the schedule annexed thereto in the establishment of Mejia Thermal Power Station. The following works were specified in the schedule annexed to the notification:-
>
> (i) Operation and maintenance of pumps and motors including operation of valves on water supply lines; and
>
> (ii) Cleaning of underground pumps in pump houses.

In DVC, the job of operation and maintenance of pumps and valves in Mejia Thermal Power Station since 11th March, 2000, i.e. before the date of the notification was being performed through regular employees. With the employment of the regular employees, contract labourers were not required. Further, the notification dated 28th February, 2001 did not say anything about absorption of contract labourers in the specified jobs. Notwithstanding, the contents of the notification dated 28th February, 2001 and engagement of regular employees for performing the specified work under reference, the 17 contract workers were paid wages through the special officer appointed by Hon'ble High Court, Kolkata without discharging any work by them.

Further, in compliance to the orders of the Division Bench which was upheld by the Supreme Court of India, DVC decided to enlist these 17 numbers of contract labourers and place them below 520 numbers of displaced persons at Mejia Thermal Power Station for which inter-se-seniority of these 17 numbers of contractor workers has already been determined through a Committee at Mejia Thermal Power Station. In order to decide the inter-se-seniority of these workers vis-à-vis land losers with whom they are to be clubbed, the Hon'ble Supreme Court was approached who by an order dated 30.4.2004 has directed to approach the High Court in the matter. Accordingly, a petition has been filed before the Kolkata High Court on 24.5.2004. The Orders of the Hon'ble High Court, Kolkata are awaited."

Observations/Recommendations

2.3 Since the matter has been hanging fire for long, the Committee recommend that the DVC should approach the High Court, Kolkata for an early hearing with a view to take conclusive action in the matter. The Committee would also like to be apprised of the final/conclusive action taken in the matter.

CHAPTER - III

REPRESENTATION REQUESTING FOR APPOINTMENT OF DEPENDANTS OF DECEASED EMPLOYEES OF DAMODAR VALLEY CORPORATION ON COMPASSIONATE GROUNDS.

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3.1 In paras 2.12 and 2.13 of their Twentieth Report (Thirteenth Lok Sabha), the Committee had recommended as under:-

> "The Committee are deeply perturbed to learn that around 995 number of dependents have been seeking employment on compassionate grounds in Group 'C' & 'D' posts depending upon their qualification. The reason for not giving employment to the dependents of the deceased workers of DVC is lack of vacancies and rationalization manpower in DVC. The Committee are of the firm view that suitable and timely appointments should be made by DVC on compassionate grounds in order to maintain the livelihood of the dependents of the deceased employees. The Committee recommend that a High Level Governmental Committee may be constituted including the representatives of a recognized DVC Employees Union and DVC officials which would examine the scope of Compassionate Appointments in DVC afresh. The Committee would like that the Governmental should take suitable action in the matter within two months.
>
> [para 2.12]
>
> The Committee are not fully convinced regarding the rationalization of the manpower in DVC because a large number of dependent families i.e. 995 numbers have been deprived of their minimum needs of livelihood for want of suitable employment on compassionate grounds in DVC. While the Committee do not doubt that the immediate needs of livelihood are met from family pension and other benefits, the Committee are of the opinion that a long term solution for subsistence would be by giving a suitable regular employment to at least one member each of the dependent family of the deceased employees. The Committee, therefore, recommend that all the 995 dependent families may be supported through compassionate appointment of at least one members of their family in DVC. The Committee would like to be apprised of the position in this regard in due course."
>
> [para 2.13]

3.2 In their action taken reply, the Government have stated as under:-

"In this connection, it is submitted that according to the information received from DVC, most of the Thermal Power Station of DVC except BTPS 'B' & MTPS were commissioned during 1950 to 1960 and due to their ageing factor, three units out of six units of CTPS are remaining virtually closed throughout the year. BTPS 'A' Plant which has also commissioned in 1950's remained almost closed and the excess manpower for these units approximately 700 & 430 respectively remained virtually idle.

Present MAN-MW Ratio of DVC is 4.38 in comparison to national average of 2.0 and that of NTPC being 1.02. However, NTPC is planning to further bring down the MAN-MW Ratio to 0.6. To make DVC economically viable and competitive, the Ministry of Power, Government of India has instructed DVC for optimum utilization and rationalization of manpower. Accordingly, as per direction of MOP, Government of India, the restructuring of manpower in DVC has been assigned to Administrative Staff College of India (ASCI), Hyderabad on 12th June, 2003.

The matter relating to compassionate appointment in DVC was also examined by DVC Board in its 549th Meeting held on 20.9.2002. The extracts of the Meeting with regard to employment on compassionate ground are given below:-

"(i) The economic conditions of the already empanelled dependents of deceased employees dying in harness be scrutinized through duly appointed subcommittees at project level. The assessment be carried out on the basis of pre-decided parameters taking into account the format prescribed by GOI for consideration of compassionate appointment cases in respect of employees of GOI. Such enquiry should be completed within three months and should be done through a duly constituted 3 member committee. The information compiled by the project level sub-committee should then be scrutinized and consolidated by a central level committee and recommend for consideration of appropriate assistance to short listed families.

For cases arising in future, policy guidelines should be framed, keeping in mind the following:

Jobs may be offered only to next to kin of person dying as a result of accidents while performing duty.

Such cases should immediately be scrutinized by the project level sub-committees and considered by the central Committee within three months."

It is not out of place to mention here that in the similar case for appointment on compassionate ground, the Hon'ble Supreme Court of India in its Judgment dated 04.05.1994 in the case of Umesh Kumar Nagpal Vs. State of Haryana and others and Anil Malik Vs. State of Haryana and others has observed as under:

"(A) The whole object of granting compassionate employment is to enable the family to tide over sudden crisis.

(B) It should be provided only when the employer is satisfied that but for the provision of employment, the family will not be able to meet the crisis arising due to sudden death of the bread-earner.

(C) As against the destitute family of the deceased, there are millions of other families which are equally, if not more destitute.

(D) Compassionate appointment is not a vested right."

DVC can provide employment by appointment which is quota-vacancy based. It is further submitted that in respect of those employees who die while on duty, their next of kin are given immediate appointment in DVC either in Group 'D' or Group 'C' depending upon their qualification. DVC as a matter of fact, has been providing compassionate appointment to one member of the family deceased employee all along as per its existing policy and status of such cases is reviewed from time to time. Out of 995 cases under intimation of the Committee. 110 persons had been appointed till 31.05.2004.

Since a large number of cases of compassionate appointment are pending and their number increasing every year, the matter was placed before the Corporation in the meeting held on 13.10.2004. Board considering the present high MAN-MW ratio of DVC in comparison to National average and in order to make DVC economically viable and competitive with the enactment of Electricity Act ,2003 has directed that:-

"(a) the practice of providing immediate employment in case of death due to accident while on duty shall continue as before.

(a) To amend the existing scheme of compassionate appointment in line with Government of India orders,

formulated as per Supreme Court judgment, which stipulates, that the maximum time for which a person's name can be kept under consideration for offering compassionate appointment is three years, subject to the condition that a Committee reviews and certifies the penurious condition of the applicant at the end of first and second year. After three year, if the compassionate appointment is not possible to be offered to the applicant within 5% of quota of clear vacancies, his case will be finally closed and will not be considered again.

In order to tide over the situation the DVC Board further decided to pay lump sum amount of Rupees one lakh to all persons, who are in the list and who accept one time settlement for rehabilitation. Orders as per directions of the Corporation have been issued on 9.11.2004."

Observations/Recommendations

3.3 The Committee note that out of panel of 995 cases for seeking employment on compassionate grounds, employment has been given by DVC only in 110 cases. The DVC Board has also considered the matter a number of times and at its meeting held on 9.11.2004, the Board has decided to pay Rs.1 lakh to all persons who are in the list and who accept one time settlement for rehabilitation. The Committee have not been apprised of the response of the affected families to this scheme. Nevertheless the Committee would like to reiterate that one time Rs.1 lakh compensation is hardly any substitute for regular employment which is being offered to 0-maximum persons. They, therefore, would reiterate that employment should be given to maximum persons.

CHAPTER-IV

REPRESENTATION REGARDING PROBLEMS OF MEMBERS OF DAMODAR VALLY CORPORATION (DVC) SHRAMIK UNION.

4.1 The Committee in paras 3.11 to 3.16 of their Twentieth Report (13th Lok Sabha) recommended as under:-

> "The Committee note that the DVC Shramik Union is a registered Union which is affiliated to the Centre of Indian Trade Union and the Electricity Employees Federation of India. The DVC Shramik Union has been
>
> functioning since 1977 in DVC. DVC has two recognised Unions. Another eight registered Unions but not recognised Unions are also functioning in DVC. All of these eight Unions have been requesting DVC for their recognition, however, the DVC has not accorded them recognition.
>
> (3.11)
>
> The main contention of the petitioners who are the representatives of the DVC Shramik Union is that the members of the Shramik Union have to suffer discriminatory treatment due to non-recognition of their Union. Moreover, the members of the Shramik Union are not permitted to participate in the various Advisory Committees of DVC. Also, the induction of annual contract with a private firm in maintenance jobs of DVC Power Station, has rendered more than 3000 workers jobless. The petitioners have, therefore, requested to give the required recognition to the DVC Shramik Union.
>
> (Para 3.12)
>
> In this context, the Committee are informed that as per existing norms for recognition of the Union 15% membership of the total employees of the organization is essential. The recognition to the DVC Shramik Union by DVC has not been possible in the absence fo verification of membership by the competent authority *i.e.* Regional Labour Commisssioner (Central) Dhanbad. The Corporation has not denied the recognition of DVC

Shramik Union but is waiting for the verification of membership by the Regional Labour Commissioner (Central) Dhanbad.

(Para 3.13)

The Committee have been also informed by the representatives of the Ministry of Power and DVC during oral evidence held on 9.9.2002 that the State Governments of Bihar and West Bengal have in principle gave their consent to the recognition of the DVC Shramik Union. The Committee are, therefore, deeply perturbed to note that inspite of approval of the proposal for recognition of the DVC Shramik Union by the DVC itself and the State Governments of Bihar and West Bengal; the Shramik Union has not yet been granted recognition for want of the verification of membership report by the Regional Labour Commissioner.

(Para 31.4)

Since DVC will consider giving recognition to Shramik Union alongwith other registered unions based on the verification report of the Regional Labour Commissioner; the Committee recommend that the verification of membership should be completed in a specific time frame by the competent authority. The Committee also desire that the Shramik Union may be recognised keeping in view the interests of the workers..

(Para 3.15)

On the issue of imparting ad-hoc recognition to the Shramik Union; the representatives of the Ministry of Power have assured the Committee at the time of oral evidence that the matter will be placed before the Corporation and considered. The Committee, therefore, recommend that the matter regarding giving ad-hoc recognition to the Shramik Union may be placed before DVC Board, expeditiously. The Committee also recommend that appropriate recognition should be given to this Union with a positive perspective in mind.

(Para 3.16)

4.2 In their action taken reply, the Government have stated that the matter regarding recognition of Shramik Union has been examined by Damodar Valley Corporation (DVC). According to DVC, on consideration of various aspects, it

appears that ad-hoc recognition of any specific Union may aggravate the industrial relation situation. DVC has already two number of recognized Unions and further adding to this ad-hoc recognition without following the laid down procedure of recognition of unions will prompt representation from other unions and the situation may become alarming and unmanageable. Accordingly, it was decided not to give ad-hoc recognition to DVC Shramik Union but to follow up vigorously to get the membership of the Unions verified by Central Industrial Relations Machinery (CIRM). DVC has been in constant touch with Regional Labour Commission (Central), Dhanbad. On the issue of verification of membership, the matter was taken up by the DVC with the Labour Secretary, Government of India, vide letter dated 24th June, 2003. A letter dated 22nd September, 2003 had also been sent by Secretary, Ministry of Power to the Secretary, Ministry of Labour requesting for his intervention in the matter for early verification of the membership of the Unions in DVC so that DVC could proceed further accordingly. Secretary, Ministry of Labour, Government of India, after consultation with the Ministry of Law has advised to take up the matter of verification with the Government of West Bengal. Accordingly, DVC has requested the Principal Secretary, Department of Labour, Government of West Bengal for verification of the membership of various trade Unions operating in different establishments of DVC vide D.O. letter dated 30th October, 2003 and reminder letter dated 16th March, 2004, 2nd September, 2004 and 3rd November, 2004.

Observations/Recommendations

4.3 The Committee regret to note that inspite of repeated references from DVC, the Government of West Bengal have not taken action in regard to verification of the membership of various trade unions operating in various establishments of DVC. The Committee would like the Ministry of Power to take up the matter with Government of West Bengal at the highest level for necessary help in the matter so that unions are recognised at the earliest.

CHAPTER-V

REPRESENTATION REQUESTING FOR COMPENSATION AND EMPLOYMENT TO THE AFFECTED LAND LOSERS WHOSE LAND HAS BEEN ACQUIRED BY DAMODAR VALLEY CORPORATION (DVC)

5.1 In para 4.11 of their Twentieth Report (13th Lok Sabha), the Committee recommended as under:-

> "The Committee note that the DVC Panchet Dam is one of the first dams of this Corporation, for which land had been acquired in 1950's. The total land acquired for construction of Panchet Dam is 21208 acres. The number of actually affected land losers families are 73665. During the construction phase for the Panchet project, the affected land losers and other people had been engaged in Workcharged Establishment in DVC. A total number of 4862 persons had been engaged at Panchet in Workcharged Establishment. On completion of the construction work, all the willing persons amongst the land losers had been regularised in DVC service. DVC also adopted in 1977, a policy to provide employment to those land losers who could not avail the facilities provided earlier for engagement under Workcharged Establishment. Accordingly, a total number of 102 persons had been empanelled for consideration of giving employment against regular vacancies in land losers category. So far 75 numbers out of them have been provided employment and 18 numbers are still awaiting for regular employment in DVC. The Committee trust that the remaining 18 persons are given regular employment in DVC expeditiously".

5.2 In their action taken reply, the Government have stated that the employment of the remaining 18 empanelled persons is guided by the existing policy of the Corporation. Since a large number of cases of appointment in displaced category are pending, DVC placed the matter before the Board in the

meeting held on 13.10.2004. In order to tide over the situation, the Board has decided to pay lump sum amount of Rupees one lakh to all persons, who are in the list and who accept on time settlement for rehabilitation. Orders as per directions of the Corporation have been issued.

5.3 The Committee note that as per decision of DVC Board at its meeting held on 13.10.2004, DVC has offered one time payment of Rs. 1 lakh to the land losers empanelled in the list for further employment. The Committee feel that compensation is hardly adequate substitutes to regular employment. They, therefore, would like the DVC to provide suitable employment to the remaining 18 persons also.

5.4 In paras 4.12 to 4.14 of their Twentieth Report (13th Lok Sabha), the Committee recommended as under:-

> "The Committee also note that at the time of land acquisition for Panchet dam, the affected families numbering 3.178 and 10,339 have been provided with compensation in the form of cash for houses and cash for land, respectively. Furthermore, DVC assured the land losers provisions for roads, water supply, community centres etc. to rehabilitate townships, if the land losers opted for alternate land for their lost houses. Accordingly, DVC adopted 51 villages within 10 Kms radius of project site under the Social Integration Programme(SIP) at Panchet for extending facilities of education, roads, water supply etc. Out of these 51 villages, 26 villages in State of Jharkhand and 25 villages are in State of West Bengal.
>
> (Para 4.12)
>
> The main contention of the petitioners belonging to State of West Bengal is that they have lost almost all-cultivable lands for the Panchet Dam Project but DVC has not extended them the required facilities under the Social Integration Programme. The petitioners have requested that facilities of education, road, drinking water, treatment, self employment may be provided in the right bank of the Panchet Dam by withdrawing the

limitation of 10 kms radius under SIP. The petitioners also demanded for lift irrigation system and afforestation/soil concentration works in their area.

(Para 4.13)

In this context, the Committee note that under the Social Integration Programme(SIP) for district Dhanbad in State of Jharkhand and district Purulia in State of West Bengal, the allocation of funds have been lopsided. During 1997-98, under SIP, the Purulia district had been allocated Rs. 13.62 lakhs and district Dhanbad allocated Rs. 17.02 lakhs. In 1998-99 for Purulia district, SIP funds amounted to Rs. 3.41 lakhs and Rs. 8.17 lakhs for Dhanbad district. During 1999-2001, no funds had been allocated to the district Purulia, whereas the Dhanbad district received a total of Rs. 17.96 lakhs under SIP. However, the SIP allocation for 2001-2002 is Rs. 20.04 lakhs for Purulia district and Rs. 11.17 lakhs for Dhanbad district, presently. During the course of oral evidence before the Committee, the representative of the Ministry has accepted that the number of scheme under SIP have been more in the Jharkhand side of the Panchet Dam. Subsequently, in a written note, the Ministry of Power have also assured that steps are being taken by DVC to make the SIP allocation/expenditure equitable between Purulia (West Bengal) and Dhanbad (Jharkhand) both falling under the DVC Panchet Project. The Committee, therefore, recommend that appropriate measures are taken to provide the required facilities of roads, water supply, health treatment, education etc. upto the satisfaction of the families affected by the construction of the Panchet Dam in Purulia district, (West Bengal).

(Para 4.14)

5.5 In their action taken reply the Government have informed as under:-

"Steps have been taken to remove the disparities in allocation of fund. The allocation of fund and expenditure during the year 2003-04 and 2004-05 in the district of Dhanbad and Purulia is furnished below:-

District	**Revised Estimate 2003-04**		**Budget Estimate 2004-05**	
	Allocation (in lakhs)	**Expenditure (in lakhs)**	**Allocation (in lakhs)**	**Expenditure (in lakhs)**
Dhanbad (Jharkhand	93.31	88.93	86.40	63.37
Purulia (West Bengal)	49.57	44.74	45.40	17.35

While the allocation made for Dhanbad District is meant for 80 adopted villages related to two projects viz Maithon and Panchet (Jharkhand side), the allocation for Purulia district covers 25 adopted villages of Panchet Project (West Bengal side) only.

The Major Schemes undertaken/completed are, 5 nos. Micro-Lift Irrigation Systems, 2 nos. Irrigation Wells, 17 nos. Drinking Water Wells, Road Projects covering a length of 4.2 KMs, 3 nos. Culverts, 2 nos. Check Dams, 6 nos. Ponds, 4 nos. Community Centers, 5 nos. School Building and Electrification of 4 nos. villages including other routine programmes like agricultural training, fisheries, social forestry, provision of medicines through mobile van & bomoeo dispensaries, epidemic control measures, trainingg for sewing/knitting/embroidery/typing etc. organizing cultural & sports events and financial assistance to the rural youth for self-employment.

The ongoing SIP under Purulia district are taken up on the recommendation of the Panchayat duly endorsed by BDO and people's representative. A meeting with the DVC Officials, Hon'ble MP Shri Basudev Acharia, District Magistrate, Purulia and other District officials was held on 10th July, 2003 to finalize developmental schemes under SIP, DVC. As proposed by the Hon'ble MP, DVC has taken up electrification work in 4 more villages viz. Kali Pathar, Malancha, Dhadkha and Namo Dhadkha under Sarbari and Gunjara Panchayats of Purulia district. The payment of an amount of Rs. 18.63 lakhs has been made to the West Bengal State Electricity Board for taking up the said electrification work."

Observation/Recommendation

5.6 The Committee are happy to note that based on their recommendations DVC has increased allocation for development related activities in Purulia District in 2003-04 and 2004-05. They would like that earmarked funds are utilised in full to supplement the basic requirements of the earmarked and identified rural and backward areas.

5.7 In para 4.15 of their Twentieth Report (13th Lok Sabha), the Committee recommended as under:-

> "On the demand of the petitioners for soil conservation/afforestation work in the right bank of the Damodar river; the Committee are informed that an official of the Soil Conservation Department is posted at Panchet Project for afforestation and beautification works in the area. The Committee recommend that periodic and regular checks are carried by the appropriate Governmental authorities so as to ensure completion of proper soil conservation and afforestation works at Panchet Dam Project."

5.8 In their action taken reply, the Government have stated that the recommendation of the Committee has been taken note of. DVC has already requested the concerned Governmental authorities to carry out periodic and regular checks to ensure proper soil conservation and afforestation works at Panchet.

Observations/Recommendations

5.9 Considering the importance of the matter, the Committee trust that DVC will continue to be alert and if necessary to provide some funds for afforestation work in DVC occupied area in coordination with other Central/State Government agencies

5.10 In para 4.16 of their Twentieth Report (13th Lok Sabha), the Committee had recommended:-

> "On the demands of the petitioners for Lift Irrigation System; construction of a bridge over Utla river and Self-employment programme; the Committee are informed that the Lift Irrigation System can be provided, if

a proposal is received from the concerned State Government and the bridge at Utla river and a Self-employment programme can be considered under SIP in consultation with the District Administration and local people/panchayat. In this regard, the Committee are, therefore, of the firm view that the Ministry of Power should impress upon the State Government of West Bengal about the necessity for the Lift Irrigation system Bridge at Utla River and Self-employment programme for the land losers at Panchet. The Committee recommend that concerted efforts are made to provide the required benefits/facilities to the project affected people of the Panchet Project of DVC on humanitarian grounds."

5.11 In their action taken reply, the Government have stated that the proposal for construction of a check Dam/bridge over Utla River under SIP was discussed in the meeting held in the office of DM, Purulia on 10.7.2003 where Hon'ble M.P., Shri Basudeb Acharia was also present. Subsequent to the meeting, Shri Basudeb Acharia, Hon'ble M.P. has been appraised of the plan for execution of the project in phases. The project has already been sanctioned by the DVC and the foundation stone for the project was laid on 12.10.2004. The contract for the project is in the final stages of finalization and the project is planned to be completed during 2005. The Construction of check Dam/Bridge over River Utla will lead to better utilization of water of the reservoir for irrigation purposes.

Observations/Recommendations

5.12 The Committee would like the DVC to complete the project during 2005 as planned. The Committee would also like to be apprised of the progress made in this regard within the six months of presentation of the Report.

5.13 In para 4.17 of their Twentieth Report (13th Lok Sabha), the Committee had recommended:-

> "The Committee note that DVC acquired 19.48 acres of land for the construction of Maithon Reservoir in Jharkhand vide L.A. case No. 13/1955-56. However the petitioners have contended that proper compensation and employment has not been given to the land losers or their heirs. The Committee are deeply perturbed to note that Project Affected People of Maithon Project have not been duly compensated in the form of employment. Although, an amount of Rs.7,06,895/- had been given to District Authority by DVC for distribution to the land losers, the petitioners have expressed their unhappiness over the monitory compensation to the land losers. The Committee note that as per Supreme Court's Order, a list of 789 persons has been fixed or frozen. However, out of these 789 persons only 205 persons have been given employment so far. 584 persons are yet to be considered for employment by DVC. The Committee would, therefore, urge the Government to take sympathetic view and give the requisite employment to the remaining 584 persons in DVC within a specific time-frame."

5.14 In their action taken reply, the Government have stated that Supreme Court has given direction that as and when the vacancies arise, the concerned authority of DVC shall make appointments from the panel. DVC provides employment to the land losers in the unskilled posts against the vacancies as per its policy. Since a large number of cases of appointment in displaced category are pending, DVC placed the matter before the Board in the meeting held on 13.10.2004. In order to tide over the situation, the Board has decided to pay lump sum amount of Rs. 1 lakh to all persons, who are in the list and who accept one time settlement for rehabilitation. Orders as per directions of the Corporation have been issued.

Observation/Recommendation

5.14 The Committee would like to reiterate their recommendation made in para 5.3 of this Report.

NEW DELHI;

PRABHUNATH SINGH,
Chairman,
Committee on Petitions.

9th March, 2005
18 Phalguna, 1926 (Saka)

CONFIDENTIAL

MINUTES OF THE ELEVENTH SITTING OF THE COMMITTEE ON PETITIONS (FOURTEENTH LOK SABHA).

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The Committee on Petitions sat on Wednesday, 5th January, 2005 from 1600 hrs. to 1630 hrs. in Committee Room No. 53, First Floor, Parliament House, New Delhi.

PRESENT

Shri Dr. M. Jagannath - In the Chair

MEMBERS

2. Shri Raj Babbar
3. Shri Baliram Kashyap
4. Shri Mansukhbhai D. Vasava
5. Shri Vijay Krishna

SECRETARIAT

1. Shri Brahm Dutt - Director
2. Shri R.K. Bajaj - Under Secretary

2. In the absence of Chairman, the Committee chose, Dr. M. Jagannath, to act as Chairman for the sitting under Rule 258(3) of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. The Committee then adopted the following resolution:-

"The Committee place on record their deep sense of sorrow over the loss of lives and property by the natural calamity caused due to severe tsumani waves in coastal areas of our country as also in several other South Asian Countries and express their sympathies to the affected families."

The Committee also stood in silence to pay homage to the departed souls.

4. The Committee, thereafter, considered and adopted Draft Fifth Report with minor corrections/amendments..

The Committee then adjourned.